

transit network between a line termination and an exchange termination. Ishibashi et al. is cited for this deficiency.

Ishibashi et al. is directed to limiting the data transmitted on a multiplexed transmission line so that it does not exceed the capacity of the transmission line. See column 1, lines 32-36. More specifically, Ishibashi et al. is directed to an approach, which does not require a network terminator to insert information indicating the busy connection, into cells. The reference appears to propose generating a congestion relieving signal within a local switch. The congestion relieving signal is inserted into a cell using a distributed queue dual bus (DQDB) protocol.

Contrary to the Examiner's assertion, Ishibashi et al. fails to disclose an ATM network used as a transit network between a line termination and an exchange termination. The local switch disclosed in Ishibashi et al. is comparable to a private branch exchange (column 8, lines 48-52) and is realized using ATM technology (see column 8, lines 37-48). According to Ishibashi et al., the local switch (62a in Fig. 9) may include ATM switches (24-1 and 24-2 in Fig. 9) and ATM multiplexing and de-multiplexing units (23-1, 23-2, 25-1, 25-2 in Fig. 9) comparable to line trunk units of a private branch exchange. Moreover, the connection between terminal equipment at a network termination and the local switch is realized through an ordinary subscriber line (column 5, lines 50-51) and not by any kind of transit network.

According to Ishibashi et al., the terminal equipment to be connected to the network termination is usually ATM technology based (column 4, lines 35-36). Only in exceptional cases, is the terminal equipment connected to the network termination via a terminal adapter (column 4, lines 36-40). However, Ishibashi et al. is absolutely silent on providing the terminal adapter with ATM/TDM protocol conversion functionality. For Ishibashi et al. is merely focused on ATM transmission technology, one skilled in the art would have no motivation to combine the teachings of Duault et al. describing an ATM/TDM interface and Ishibashi et al. in order to arrive at the present invention according to claim 1.

In accordance with the foregoing, it is submitted that claims 1- 4 patentably distinguish over Duault et al. and Ishibashi et al., taken alone, or in any proper combination.

Claim 5 is rejected as being obvious over Duault et al. in view of Ishibashi et al. and U.S. Patent No. 5,673,258 to Helbig et al. This additional reference is simply cited for the additional limitations recited in claim 5. Helbig et al. does not compensate for the deficiencies discussed above with regard to Duault et al. and Ishibashi et al. Accordingly, for at least the reasons discussed above, claim 5 patentably distinguishes over the combination of Duault et al.,

Serial No. 09/117,799

Ishibashi et al. and Helbig et al.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date:

March 19 2003

By:

Mark J. Henry
Mark J. Henry
Registration No. 36,162

700 Eleventh Street, NW, Suite 500
Washington, D.C. 20001
(202) 434-1500

CERTIFICATE UNDER 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231

on March 19, 20 03
STAAS & HALSEY
By: Mananb Singh
Date: 3-19-03